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ITS END

Defense Will Probably Close Its Case Today.

It was a calm, peaceful and good natured crowd that surrounded special officer Scoville and officer Wills at Waipahu on the twelfth of June, the time of the alleged riot-according to the testimony given yesterday morning by Miauchi, one of the witnesses for the defense in the conspiracy trial and one of the men arrested by the authorities Regal Shoe Store for complicity in the Waipahu riot.

Miauchi was a very assured witness. He was confident that nothing was done at Waipahu that could possibly be construed as riet No sticks and stones were thrown, no threats were made, the officers were not imprisoned in the headquarters of the Waipahu Higher Wage Association. Officer Wills was not told he had better go back to Honelulu or he would be killed. Nothing of that kind occurred. There was just a calm, peaceful, good-natured crowd

If any fault could be found with Mianchi's testimony, it is that he was too ready a witness; he was too selfassured, too rendy with his answers. No. 208 Beretania St., near Emma St | His testimony was entirely too favorable to the case of the defense.

Special Prosecutor Kinney appeared vesterday to have taken a hint from experience and advice and his attacks on the personal character of attorney Lightfoot were so infrequent as to be practically negligible. Some one has, it seems, dropped a bug in his ear-to use an ancient expressionfact, that seemed for a time to have | ical violence, been lost sight of, that the verdiet of surposed to be governed sonal characteristics and character of fense. the attorneys who are trying the case, has apparently been remembered once more, and the court session of yesterday was on the whole so calm and Lightfoot's objections still continue s all the more the case in that the place. prosecution, having no appeal in case t loses, has no reason for objecting so

not at all apprehensive. same lines as on the day before, with told him, "Shoot, shoot, suppose w practically the same results: Soga denied that anything he had said or written was intended to be taken in the sense of advocating or countenancing physical violence.

Kinney Calls Lightfoot.

When Kinney finished with the witness, Lightfoot took him again for redared Kinney to put into evidence the sire to talk to him, he led the way to indictment of Soga as a disorderly per | the office of the Higher Wage Associason, which was returned by the grand tion, saying "Office come, talkee talk jury several months ago. Kinney took all right." And Scoville and Wills, the dare and read the indictment to the with their prisoner, followed him into

When Lightfoot began his redirect examination of the witness, he gave him a copy of the indictment and questioned him on the meaning of the ex- Japanese did follow them as far as tracts from the Nippu Jiji, upon which

The testimony was largely along the line of the meaning conveyed to the Japanese mind by the extravagant lan- they went. guage used in the articles. Lightfoot read the extract in which occurs the

left something out. Lightfoot Not Guilty.

"I don't do those things, Mr. Kinney," responded Lightfoot; "I leave that for the prosecution. I don't play

Kinney insisted that Lightfoot had not read all of the sentence and its context, referring back to a sentence that preceded the one the attorney for the defense had read.

"I would sooner break stones on the road than practice law in that way, Mr. Kinney," retorted Lightfoot. "I don't follow the example of the presecution and read half a sentence and leave the sycophants were selected. He said he

other half unread." Judge De Bolt called the attorneys o order and the witness replied to the question asked him. He said the senence did not mean that iron fists would ctually descend on the head of Sheba, but that it was the Hawaii Shinpo that was referred to.

Ligatfoot read another extract from the indictment, in which the grand jury examined by the officers of the asso-fense today. The prosecution will be recused Sogn of having written, "Oh, cintion, who were the final arbiters in gin its rebuttal Monday, and the ow I wish to resort to violence." He the matter. showed Sogn the original and asked him f snything of that nature appeared in the court took its adjournment for the ever, unless the prosecution puts on

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general character were shown Soga, and in each instance he said that the language used was figurative and not inand he has concluded that personal attended to be taken literally. The Japtacks on the attorney who is opposing anese papers, he said, abound in such in are not liable to influence the jury figurative language. He insisted that to bring in a verdict of guilty. The at no time had he ever counseled phys-

The second cross-examination of the vitness failed to bring out anything of by the law and the evidence rather importance. Soga was then excused and than by any considerations of the per- Mianchi called to the stand by the de-

Tells of the Riot.

Miauchi was treasurer of the Waipahn Higher Wage Association and was one of the men arrested at Waipahu on peaceful as to be almost uninteresting. the night of June 12 for alleged complicity in the riot that occurred there. to be overruled with monotonous regu- He is a large man, for a Japanese, and Without expressing any sus- has a deep bass voice, so he afforded a picion that Judge De Bolt is not strict- decided contrast to Soga, his prede within the law in his rulings, as of cessor on the stand, who is a little, course he is, the regularity with which slender man with a high, weak voice, he rules against the defense is per- Miauchi was working on the plantation haps liable to influence the jury. This as a cane cutter before the strike took

Lightfoot examined him as to the alt loses, has no reason for objecting so leged riot. According to the testimony often, and none at all for taking exceptions when such objections as are said he was just going downstairs in made are overruled. Lightfoot's multitudious objections and exceptions are, he heard a shot fired and ran to see of course, in large part to form the what was the matter. He found Mr. basis of an appeal on exceptions in Scoville and officer Wills in the midst case of a possible verdiet against his of a crowd, each with a grasp on the clients, a contingency of which he is collar or arm of a Japanese whom they had arrested. Miauchi is the man who The cross-examination of Editor Soga is accused of having broken through was resumed when court convened in the crowd, rushed up in front of Mr. the morning, and continued along the Scoville and throwing open his cont,

make! Plenty more Japanese." But Miauchi denied doing anything of the kind. He even claimed that he had no coat on, having left that article of apparel at the hotel. He admitted from, having said to Mr. Scoville, "Japanese pistol no makau all right," but that was all at the time. Later, when, as direct examination. Lightfoot had he said, Mr. Scoville expressed the dethe room. They were not forced in or pushed in by the crowd, but went freely, the crowd opening up a passage for them as they went. Thirty or forty the door, but Miauchi said he went back and told them to go home or go to the theater and listen to the speeches that were to be made, and

The witness denied emphatically that he or anyone else ordered the officers prophecy, that "torrents of iron fists to sit down, or engaged in conversawill descend upon your heads." Kinney tion with them at all, except that once interrupted to claim that Lightfoot had Hata did come in and advise officer Wills to go back to Honolulu.

Got His Coffee.

Minuchi said that he got hungry and went back to the hotel to get that cup of coffee that he had forgotten to drink, and that when he returned, everybody except two or three Japanese had gone. Later he was arrested at the hotel, and with six other Japanese brought to Honolulu and lodged

On cross-examination the witness was asked whether or not be presided at the Waipahu meeting at which did not. He was present at the meet-ing but was called away before the voting for sycophants began. From hearsy, however, he knew how it was done. Each Japanese wrote on a slip of paper the names of those whom he thought should be branded as sycophants, together with the reasons for so believing, and these slips were

Phone 361. Sentence as in the original, he said, ed to be nearly its close. Lightfoot the case will go to the jury some time was, "Ah, what shall we do, then?" states that he expects to close his denext week.

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length of this will determine largely Miauchi was still on the stand when how long the trial is to continue. How-Sogn replied in the negative. The day, but his cross-examination appear- more witnesses than it is expected to,

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